

## REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

By the above amendments, the specification has been amended to correct the spelling of the word "below".

In the Official Action, claims 1-14 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,824,838 (*Kawata et al.*). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Without addressing the propriety of the Examiner's comments in connection with this rejection, attached hereto for the Examiner's consideration is a verified English translation of Japanese Patent Application No. 2002-229922 filed August 7, 2002, to which the present application claims the benefit of foreign priority. The August 7, 2002 foreign priority date is prior to the March 11, 2003 §102(e) date of *Kawata et al.* As such, it is respectfully noted that in light of the perfected foreign priority claim, *Kawata et al* does not qualify as §102(e) prior art.

Applicants submit that the currently pending claims of the present application are supported by the disclosure of the '922 priority application. For example, support for the claims can be found at the following portions of the '922 priority application:

- claims 1 and 8: pages 1-2;
- claims 2 and 9: page 11, paragraph [0020];
- claims 3 and 10: page 6, paragraph [0007];
- claims 4 and 11: pages 6-7, paragraph [0007];
- claims 5 and 12: pages 46-47, paragraph [0112];
- claims 6 and 13: page 18, paragraph [0033]; and
- claims 7 and 14: pages 21-22, paragraph [0042].

*Kawata et al* does not qualify as §102(e) prior art in light of the perfected foreign priority claim. Accordingly, for at least the above reasons, withdrawal of the above rejection based on *Kawata et al* is respectfully requested.

Filed herewith for the Examiner's consideration is a Statement Under 35 U.S.C. §103(c) with respect to *Kawata et al*.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC



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By:

Roger H. Lee  
Registration No. 46317

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620